

**KEMP & KEMP**  
ATTORNEYS AT LAW  
7435 W. Azure Drive, Suite 110  
LAS VEGAS, NEVADA 89130  
Tel. (702) 258-1183 • Fax (702) 258-6983

JAMES P. KEMP, ESQUIRE  
Nevada Bar No. 006375  
KEMP & KEMP  
7435 W. Azure Drive, Suite 110  
Las Vegas, NV 89130  
(702) 258-1183/258-6983(fax)  
[jp@kemp-attorneys.com](mailto:jp@kemp-attorneys.com)  
Attorney for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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ELENA MOIS

Plaintiff,

vs.

WYNN LAS VEGAS, LLC, a Nevada Limited  
Liability Company.

Defendant.

Case No.: 2:15-cv-00143-APG-NJK

**STIPULATION AND ORDER TO  
EXTEND TIME FOR PLAINTIFF TO  
RESPOND TO DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT  
AND FOR DEFENDANT'S REPLY**

**[SECOND REQUEST]**

It is hereby stipulated by and between the parties, through their respective counsel, that Plaintiff, ELENA MOIS, (hereinafter referred to as "Plaintiff"), shall have a further extension from Tuesday, December 8, 2015 to and including Monday, December 14, 2015, in which to file her Response to Defendant's Motion for Summary Judgment. Defendant shall have until Monday, January 11, 2015 to file any Reply. This stipulation is submitted and based upon the following:

1. That Plaintiff's counsel has requested this extension of time and has informed Defendant's counsel that such an extension is necessary because counsel for Plaintiff has been experiencing unexpected extremely heavy workloads since the time of the previous extension. This includes having to conduct or defend three (3) depositions (including having to travel to Salt Lake City for two that took all day on Monday, December 7), a full half-day (three hours) long Motions in Limine Hearing on Tuesday,

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December 1, in state court in the case of *Mandell vs. State of Nevada* [University of Nevada School of Medicine], case number A-649211-C. At the conclusion of that hearing Judge Joanna Kishner ordered the parties to take part in a settlement conference on Thursday, December 3, 2015. It took all day on Wednesday, December 2 to prepare for the settlement conference, including drafting a Settlement Conference Statement and collecting exhibits to submit with it. The settlement conference lasted all day on December 3 (no settlement yet, but talks are ongoing). In addition, Plaintiff's counsel had three hearings today, December 8, 2015, two in Bankruptcy Court (morning and afternoon), along with the pre-trial conference on the *Mandell* case in the morning, along with numerous administrative hearings, client consultations, mediations, and preparing for and attending Early Neutral Evaluation Conferences. Plaintiff's counsel has been working on the Response as time has allowed. He estimates that it is approximately 50% completed with most of the remaining work needed on drafting the factual portions and citing to evidence.

2. Plaintiff's counsel has not had time to meet with the Plaintiff in order to prepare an affidavit for her in response to the Summary Judgment Motion. Plaintiff is presently scheduled to meet with counsel on Wednesday, December 9, 2015 at 11:00 a.m. to discuss the case and address her needed affidavit.
3. Additionally, Plaintiff's counsel attended to family obligations over the Thanksgiving holiday period. Thus Plaintiff's counsel has been unable to devote the necessary time to this matter and the requested extension would be appreciated.
4. Defendant shall receive an extension through and including January 11, 2016 to file any Reply to the Opposition. Defendant's Counsel will be travelling out of state to visit family during the upcoming holiday season and with Plaintiff's extension, the Defendant

1 should also receive additional time.

- 2 5. That this request for an extension of time for Plaintiff to file her Response to  
3 Defendant's above referenced Motion for Summary Judgment, and extension of time  
4 for Defendant to file any Reply, is made in good faith and not for purpose of delay.

5 DATED this 7<sup>th</sup> day of December, 2015.

6  
7 /s/ James P. Kemp  
8 James P. Kemp, Esq.  
9 Nevada Bar No. 6375  
10 Victoria L. Neal, Esq.  
11 KEMP & KEMP ATTORNEYS AT LAW  
12 7435 West Azure Drive, Suite 110  
13 Las Vegas, NV 89130  
14 Attorney for Plaintiff

/s/ Nicole A. Young  
Scott M. Abbott, Esq.  
Jen J. Sarafina, Esq.  
Nicole A. Young, Esq.  
KAMER ZUCKER ABBOTT  
3000 W. Charleston Blvd, #3  
Las Vegas, NV 89102  
Attorneys for Defendant

15 IT IS SO ORDERED

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17   
18 U.S. DISTRICT COURT JUDGE

19 Dated: December 9, 2015

KEMP & KEMP  
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